

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

CONOR BRIAN FITZPATRICK,

a/k/a “Pompompurin”

Defendant.

Case No. 1:23-CR-119

Hon. Leonie M. Brinkema

Sentencing: September 16, 2025

UNITED STATES’ MOTION TO SEAL EXHIBITS

Pursuant to Local Criminal Rule 49(E), the United States moves for an Order sealing Exhibits 1, 2, 4, and 5 of the United States’ Position with Respect to Resentencing. A proposed Order is attached for the Court’s consideration.

I. Items to be Sealed and Necessity for Sealing

The government asks the Court to seal Exhibits 1 and 5, which are victim impact statements, and which discuss the harms suffered by the victims as a result of the offenses. Exhibits 1 and 5 should be sealed to safeguard the victims’ privacy. *See* 18 U.S.C. § 3771(a)(8). Exhibit 2 is a psychological assessment of the defendant, and it contains information related to the defendant’s medical history, conduct as a juvenile, and other sensitive information. Exhibit 4 is a memorandum prepared by the Bureau of Prisons and it also contains sensitive information related to the defendant’s medical history. Undersigned counsel has considered procedures other than sealing, but none will suffice to protect this information from disclosure.

II. Precedent for Sealing Documents

The Court has the inherent power to seal materials submitted to it. *See United States v. Wuagnewx*, 683 F.2d 1343, 1351 (11th Cir. 1982); *State of Arizona v. Maypenny*, 672 F.2d 761,

765 (9th Cir. 1982); *Times Mirror Company v. United States*, 873 F.2d 1210 (9th Cir. 1989); *see also Shea v. Gabriel*, 520 F.2d 879 (1st Cir. 1975); *United States v. Hubbard*, 650 F.2d 293 (D.C. Cir. 1980); *In re Braughton*, 520 F.2d 765, 766 (9th Cir. 1975). “The trial court has supervisory power over its own records and may, in its discretion, seal documents if the public’s right of access is outweighed by competing interests.” *In re Knight Pub. Co.*, 743 F.2d 231, 235 (4th Cir. 1984).

III. Period of Time to Have the Document Under Seal

The material to be filed under seal would need to remain sealed permanently or until further order of the Court. Accordingly, the government respectfully requests that an Order be entered allowing the aforementioned material to be placed under seal.

Respectfully submitted,

Erik S. Siebert
United States Attorney

Date: September 8, 2025

By: _____/s/
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